IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY FOURTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 4172 of 2005

Between:

M. Dharma Rao S/o M. Chandraiah
R/o Q. No. 12 Indian Institute of Health & Family Welfare

Campus, Vengal Rao Nagar, Hyderabad

..... PETITIONER

AND

1 Indian Institute of Health & Family Welfare, Vengal Rao Nagar, Hyderabad, rep by Director
2 Principal Secrtary to Health & Family Welfare Government of AP-cum-Vice Chairman, Governing Council of Indian Institute of Health & Family Welfare Vengal Rao Nagar, Hyderabad
3 The Government of A.P., rep by Chief Secretary-cum-Chairman of Governing Council of Indian Institute of Health & Family welfare Welfare Hyderabad
4 Sri. M. Mohan Rao S/o. not known, The Director Indian Institute of Health & Family Welfare, Vengal Rao Nagar, Hyderabad

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ, order or direction more in the nature of Writ of Mandmaus, declaring the action of the respondents, in not providing reservation to the schedule caste candidates for the post of Lecturer/reader in the respondent-Institution and in violating the rule of reservation or circumventing the same in the name of up gradation of the post of Lecturer to that of a Reader to defeat the constitutional scheme of reservations as provided under Article 16(4) of the Constitution of India, as being illegal, arbitrary and violative of Articles 15,16 and 300-A of the Constitution of India, apart from Rules 22 and 22-A of the A.P. State and Subordinate Service Rules, and consequently direct the Respondents to create the post of Lecturer as the feeder category in Category (iii)of Class II and pass such other order or orders as are deemed fit and proper.

Counsel for the Petitioner : MR.D.SESHADRI NAIDU, Advocate

Counsel for the Respondents: GP FOR MEDICAL HEALTH &

FAMILY WELFARE

The Court made the following O R D E R:

It is represented by Mr. Hema Chandar, Advocate, appearing for the counsel for the petitioner Mr. D. Seshadri Naidu, counsel for the petitioner, that the subject matter of the writ petition has become infructuous.

Recording the same, the writ petition is dismissed as infructuous. No costs.

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S.Ananda Reddy, J.

Dt. 24.06.2005

Kvh

To

1 Indian Institute of Health & Family Welfare, Vengal Rao Nagar, Hyderabad, rep by Director
2 Principal Secretary to Health & Family Welfare Government of AP-cum-Vice Chairman, Governing Council of Indian Institute of Health & Family Welfare Vengal Rao Nagar, Hyderabad
3 The Government of A.P., rep by Chief Secretary-cum-Chairman of Governing Council of Indian Institute of Health & Family welfare Welfare Hyderabad
4. 2 CCs to G.P. for Medical Health and Family Welfare, High Court Buildings, Hyderabad (OUT)

5. 2 C.D. copies.